IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 104 of 2007

IN

NOTICE OF MOTION NO. 4230 OF 2006

IN

SUIT NO. 1483 OF 2005

Satyaprakash Rai S/o Shreenarayan Rai.. Appellant

versus

Mr.Mahesh Tyagi & ors. .. Respondents

...

Mr.A.M. Saraogi for the appellant.

Mr.Chirag Balsara for respondent no.1.

Mr.D.R. Singh for respondent no.2.

CORAM : R.M.S. KHANDEPARKAR

AND D.G.KARNIK, JJ

DATED : 2nd April 2007.

P.C.:

1. Heard.

2. Considering the fact that the respondent

no.1 was not a party to the arbitration proceedings, taking into consideration the circumstances in which the ad-interim order has been passed, we do not find any case for interference in the matter. Without expressing any opinion on any of the points to be raised, we therefore dismiss the appeal with request to the learned Single Judge to consider the expeditious disposal of Notice of Motion no.4230 of 2006.

3. Appeal accordingly stands disposed of.

(R.M.S. KHANDEPARKAR, J)

(D.G. KARNIK, J)